

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:08cv50**

LINCOLN-GASTON FARMERS)
MUTUAL INSURANCE COMPANY,)
)
 Plaintiff,)
)
 v.)
)
GENERAL ELECTRIC COMPANY,)
EMERSON ELECTRIC COMPANY,)
and THERMO-O-DISC, INC.,)
)
 Defendants.)
_____)

ORDER

THIS MATTER is before the court on Plaintiff Lincoln-Gaston Farmers Mutual Insurance Company's Motion to Dismiss (Document #33), filed February 27, 2009. In this motion, Plaintiff asks the court to dismiss all of its claims in this lawsuit against Defendants Emerson Electric Company and Therm-O-Disc, Inc. pursuant to FED. R. CIV. P. 41(a).^{*} Defendants do not oppose the dismissal of this action. (Document #36). However, Defendants asked this court to refrain from ruling on Plaintiff's Motion to Dismiss until after Defendants' Motion for Sanctions (Document #37) was adjudicated. See (Document #34.) That motion having since been denied, the instant matter is now ripe for disposition.

The parties are in agreement that dismissal of Plaintiff's claims against Defendants Emerson Electric Company and Therm-O-Disc, Inc. is appropriate.

^{*}Plaintiff's claims against General Electric Company have already been dismissed with prejudice pursuant to a stipulation of the parties. (Document #35.)

WHEREFORE, IT IS HEREBY ORDERED that Plaintiff's Motion to Dismiss is **GRANTED**. All claims of Plaintiff against Defendants Emerson Electric Company and Therm-O-Disc, Inc. are hereby dismissed with prejudice pursuant to FED. R. CIV. P. 41(a)(2).

Signed: June 15, 2009

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

